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November 29, 2021

BY ECF & EMAIL:

Hon. John P. Cronan
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Courtroom 12D
New York, New York 10007
CronanNYSDChambers@nysd.uscourts.gov

Re: Alex Goldfarb v. Channel One Russia
Index No.: 18-cv-08128 (JPC)

Dear Judge Cronan:

This firm represents plaintiff Alex Goldfarb in the above- referenced action. I am writing to request a conference concerning a discovery issue. I have conferred in good faith with Kendall Wangsgard, counsel for defendant Channel One Russia, about this issue. Mr. Wangsgard is trying in good faith to resolve the rather unusual problem we are having, but, given the current schedule, I believe that it is appropriate to raise this with the Court at this time.

The deadline for fact discovery in this case is January 6, 2022. The parties had agreed to schedule the first of three (or possibly four) depositions on December 2. Despite the fact that foreign civil depositions in Russia are apparently illegal under Russian law, see U.S. Securities and Exchange Commission v. Collectors Coffee, Inc., 19 Civ. 4355 (LGS) (GWG), 2020 WL 4034733 (S.D.N.Y. July 7, 2020), at *3, Mr. Wangsgard informed me that the deposition of Dmitry Borisov, the first witness, would be held in Moscow.

I had no objection to the location as the deposition would be remote and contacted three of the leading court reporting and translation firms about taking on this assignment. All three of the firms I approached declined to take on the deposition based on their understanding of Russian law, even though they understood that the deposition would be remote. Mr. Wangsgard was in touch with at least one firm but was unable to convince them that there would be no issue under Russian law with their participation.

Mr. Wangsgard informed me that he is consulting an outside Russian law firm to obtain an opinion to resolve this issue. My concern is that the reporting/translation services firms might not accept any opinion. Unless this problem is resolved promptly, plaintiff intends to

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request an order compelling the deponents to appear for depositions outside of Russia (perhaps Helsinki) and a reasonable extension of the deposition schedule at the conference.

Respectfully,



Bertrand C. Sellier

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cc: Kendall E. Wangsgard, Esq. (via ECF and email)

The request is granted. The parties shall appear for a telephonic status conference on the deposition issue on December 8, 2021 at 11:00 a.m. At the scheduled time, counsel for all parties should call (866) 434-5269, access code 9176261.

SO ORDERED.

Date: November 30, 2021

New York, New York



JOHN P. CRONAN
United States District Judge